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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DEC 14 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. 98-190
Table of Allotments,) RM-9317
FM Broadcast Stations.)
(Cross City, Florida))

TO: John A. Karousos, Chief
Allocations Branch, Policy and Rules Division
Mass Media Bureau

COMMENTS OF DICKERSON BROADCASTING, INC.

1. Dickerson Broadcasting, Inc. ("DBI") hereby submits its Comments in opposition to the proposal of Tony Downes to allot Channel 249A to Cross City, Florida. As set forth in the accompanying Engineering Report (Attachment A hereto), that proposed allotment is inconsistent with on-going proceedings pending before the Commission. The proposed allotment is set forth in a Notice of Proposed Rule Making ("NPRM") released October 23, 1998.

2. The NPRM correctly observes that the proposed allotment of Channel 249A to Cross City would require a site restriction in order to assure the proper mileage separation from the operation of Station WSKY-FM, Micanopy, Florida, which is presently operating on Channel 247C2. What the NPRM fails to consider, however, is that the operation of Station WSKY-FM on Channel 247C2 is subject to the outcome of MM Docket No. 92-195. It was in that docket that the Micanopy allotment was changed from Channel 249A to Channel 247C2. DBI has sought review of

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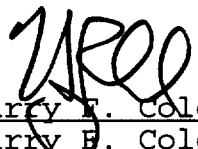
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that decision, and the matter is presently pending before the Commission. In the event that the decision in MM Docket No. 92-195 were to be reversed (whether by the Commission or the Court of Appeals), Station WSKY-FM would be required to return to operation on Channel 249A.

3. The distance between Station WSKY-FM and the Cross City coordinates specified by Mr. Downes is only 80.1 kilometers. See Attachment A. However, the required separation of co-channel Class A allotments is 115 kilometers. Thus, the proposed allotment would be grossly short-spaced.

4. The matters at issue in MM Docket No. 92-195 have been under consideration for years, and have become relatively (and probably unnecessarily) complicated as the Mass Media Bureau has attempted to avoid substantive resolution of DBI's arguments. Adoption of Mr. Downes's proposal would add further unnecessary complications to MM Docket No. 92-195. Accordingly, DBI submits that no action on the proposal in the above-captioned matter should be taken until all issues in MM Docket No. 92-195 have been finally resolved.

Respectfully submitted,


/s/ Harry F. Cole
Harry F. Cole

Bechtel & Cole, Chartered
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Suite 250
Washington, D.C. 20036
(202) 833-4190

Counsel for Dickerson Broadcasting, Inc.

December 14, 1998

ATTACHMENT A

Radiotechniques

402 TENTH AVENUE • P.O. BOX 367 • HADDON HEIGHTS, NJ 08035-0367

Engineering Report in support of :

Comments of Dickerson Broadcasting, Inc. on RM-9317 Petition to allocate FM Channel 249A to Cross City, FL

Radiotechniques Engineering Corporation has been retained by Dickerson Broadcasting, Inc., (Dickerson) licensee of WEAG, Starke, FL to prepare this report in support of its comments in RM-9317, a petition to allot FM channel 249A to Cross City, FL

RM-9317, filed by Tony Downes, is a rulemaking proceeding to modify Federal Communications Commission Rules and Regulations 47CFR § 73.202(b) to allot channel 249A to Cross City, FL. Mr. Downes specifies the coordinates: latitude North 29° 38' 35" and longitude 83° 08' 28". Radio station WSKY-FM is licensed on channel 249A at Micanopy, FL, at coordinates: Latitude 29° 32' 08" and longitude 82° 19' 17". The distance between these points is 80.1 km.

Federal Communications Commission Rules and Regulations 47CFR § 73.207(b)(1) requires cochannel class A stations to be at least 115 km apart. Mr. Downes proposal for Cross City clearly does not comply with this basic requirement.

WSKY-FM is presently operating on channel 247C2 on a construction permit, this construction permit is contingent on the outcome of proceedings pending before the Federal Communications Commission. WSKY-FM is required to maintain its licensed facilities pending outcome of these proceedings, and the licensee has agreed to return to its licensed facilities on channel 249A if the final resolution of the proceedings require it.

Since RM-9317 proposes a channel allocation which is clearly short spaced with WSKY-FM, and the proceedings which propose to re-allocate channel 249A to channel 247C2 have not been concluded, the proposal to allocate channel 249A to Cross City, FL cannot be accepted at this time.

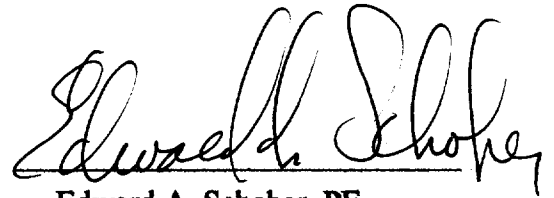
Radiotechniques

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This is to certify that this report has been prepared by myself, or under my direction. It is correct and accurate of my own knowledge, except where stated otherwise, and where this is so, the information is correct to the best of my knowledge and belief.

I further certify that I am a Licensed Professional Engineer in the State of New Jersey and the Commonwealth of Pennsylvania, with a BSEE degree from the Newark College of Engineering of NJIT, and that I am regularly engaged in the practice of radio engineering with the firm of Radiotechniques Engineering Corporation, with offices at 402 Tenth Avenue, Haddon Heights, NJ. I am a member of the AFCCE, senior member of the IEEE, and SBE, and hold an FCC General Radiotelephone Operator License, and am Certified as a Senior Broadcast Engineer by the SBE. My qualifications are a matter of record with the FCC.

Date: September 18, 1998

A handwritten signature in cursive script, reading "Edward A. Schober".

Edward A. Schober, PE

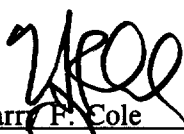
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CERTIFICATE OF SERVICE

I, Harry F. Cole, hereby certify that on this 14th day of December, 1998, I caused copies of the foregoing "Comments of Dickerson Broadcasting, Inc." to be placed in the U.S. Postal Service, first class postage prepaid, or hand delivered (as indicated below), addressed to the following persons:

Kathleen Scheuerle
Allocations Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W. - Room 8314
Washington, D.C. 20554
(By Hand)

Tony Downes
3092 SW Harbor Hills Road
Dunellon, Florida 34431


/s/ Harry F. Cole
Harry F. Cole